

## L E S S O N 2

# The Ratification Debate

## THINKING FOCUS

*How did the ratification of the Constitution depend on the debates in each of the states?*

### Key Terms

- Federalist
- Antifederalist
- ratify

► In the noted 1763 lawsuit called the “Parson’s cause,” shown here in this painting, Patrick Henry first won fame as a brilliant speaker.

**T**his proposal of altering our federal government is of a most alarming nature. You ought to be extremely cautious, watchful, jealous of your liberty, for instead of securing your rights, you may lose them forever. If a wrong step be now made, the republic may be lost forever.

The great orator Patrick Henry was speaking at Virginia’s state convention. It was a sweltering June day in Richmond. Nine months had gone by since the delegates in Philadelphia had signed the Constitution, but Patrick Henry was still dead-set against its approval. In a thundering voice, he warned a roomful of his fellow Virginians about the dangers the Constitution presented.

Referring to the delegates at the Philadelphia Convention, he asked: “Who authorized them to speak the

language of ‘We, the People’ instead of ‘We, the States’? States are the characteristics and the soul of a confederation.”

Henry feared that the national government could overpower the ability of the states to protect their own citizens. He asked his fellow Virginians to consider the rights they valued, such as trial by jury. “Will the abandonment of your most sacred rights tend to the security of your liberty?”

Speaking directly to the state convention’s chairman, Henry compared the Constitution to the human face:

**T**his Constitution is said to have beautiful features, but when I come to examine these features, sir, they appear to me horridly frightful. Among other deformities, it has an awful squinting; it squints [is inclined to a bias] towards monarchy.





## The Debate Goes Public

Similar objections were raised in all the state conventions. After four months of secret deliberations, the Constitution had become the subject of widespread public debate.

When the Philadelphia Convention had submitted the Constitution to the Congress still meeting in New York City under the old Articles of Confederation, the document was accompanied by a letter signed by George Washington. He firmly supported the Constitution, writing:

*It is obviously impracticable, in the federal government of these states, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all: Individuals entering into society must give up a share of liberty to preserve the rest.*

After Congress agreed to turn the Constitution over to the states for ratification, newspapers throughout the country printed its full text. (You can read the Constitution starting on page 636.) Though Washington's stamp of approval carried great weight, opponents of a constitution rallied to defeat it at the state conventions.

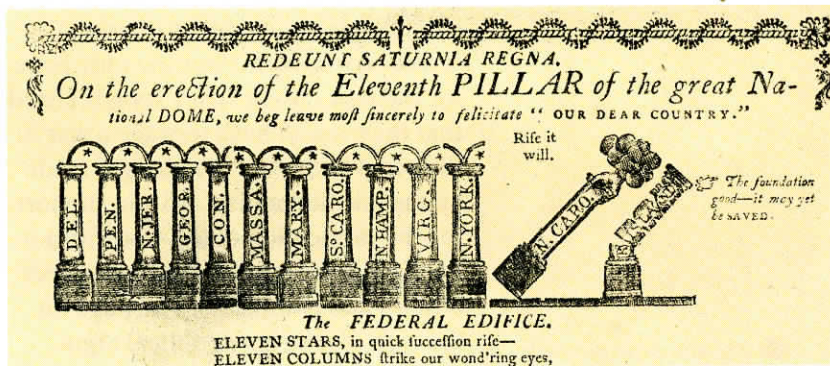
### Antifederalist Fears

The word *federal* refers to a union of states under a government with central authority. People who supported the Constitution were called **Federalists**. People who opposed the Constitution were called **Antifederalists**. Although their specific concerns varied, most Antifederalists looked to the historical legacy of the English Bill of Rights, designed to protect the basic liberties of the king's subjects. Why, asked the Antifederalists, had the framers of the Constitution failed to include an American bill of rights to protect individual citizens?

The Antifederalists also questioned the legality of the Constitution. What right had the Convention to go so far beyond its original purpose, which was simply to revise the Articles of Confederation?

Among the first Antifederalists to explain his position publicly was Elbridge Gerry. "Conceiving as I did that the liberties of America were not secured by the system," he wrote the Massachusetts legislature in October 1787, "it was my duty to oppose it."

Some of the most powerful leaders within the states—including George Clinton, governor of New York—had long opposed the idea of a strong central government. These men did not want the national government to have more power than the states.



They had begun to publish the reasons for their opposition in newspapers and pamphlets as soon as the Constitution was in print.

Antifederalist writers aroused people's fears that a strong central government could not be trusted. Among the threats to personal freedom, argued the Antifederalists, were taxes, government regulations, and a standing army. A strong central government could take away the liberties they had fought so hard to achieve in the war against Great Britain.

Some Antifederalists believed that the Constitution established a government in which a small, select group would protect its own interests

▲ In building the federal government, each state had to formally approve the new Constitution. This 1788 cartoon shows 11 columns—states—supporting approval. Two columns remained unsteady.



## Across Time & Space

*At the time The Federalist papers first appeared, they were similar to Letters to the Editor in today's newspapers. Letters to the Editor provide an opportunity for private citizens to express their views to a large audience.*

■ *Explain how the Federalists used ridicule to respond to the arguments of the Antifederalists.*

more than those of the common people. In their deepest fears, the Antifederalists worried that an elected government could turn out to be even worse than a monarchy. Publishing their "Reasons for Dissent" in the *Pennsylvania Packet and Daily Advertiser*, some delegates to the Pennsylvania convention claimed:

**T**he power of direct taxation will apply to every individual... However oppressive, the people will have but this alternative, except to pay the tax, or let their property be taken, for all resistance will be in vain. The standing army and select militia would enforce the collection.

### Selling the Constitution

The Federalists, on the other hand, did not share this sense of mistrust. They believed that a strong, central government was the only hope for the new nation. They soon realized that they would have to wage a war in the press to answer the charges made by the Antifederalists. To win support for the ratification of the Constitution, the Federalists resorted to newspaper articles and pamphlets. The page on the right shows how political arguments were debated in print.

Alexander Hamilton enlisted the aid of John Jay, another Federalist

from New York, and James Madison. Together they wrote a series of letters, starting in October 1787, that were printed in a New York newspaper under the name *Publius*. Political writers often used classical pen names, and Hamilton chose *Publius*, the hero who established a stable republican government in Rome.

The letters from *Publius* were later collected and republished in book form under the title *The Federalist*. In Number 29 of *The Federalist*, Alexander Hamilton ridiculed the Antifederalists' fears:

**T**here is something so far-fetched and so extravagant in the idea of danger to liberty from the militia that one is at a loss whether to treat it with gravity or with raillery [humor] . . . Where in the name of common sense are our fears to end if we may not trust our sons, our brothers, our neighbors, our fellow-citizens?

*The Federalist* essays were an eloquent defense of the newly created Constitution, but they were only one of many political strategies used to win votes for the ratification of the document. The decisive battles were fought state by state in the ratifying conventions. ■

## Ratification—Just Barely

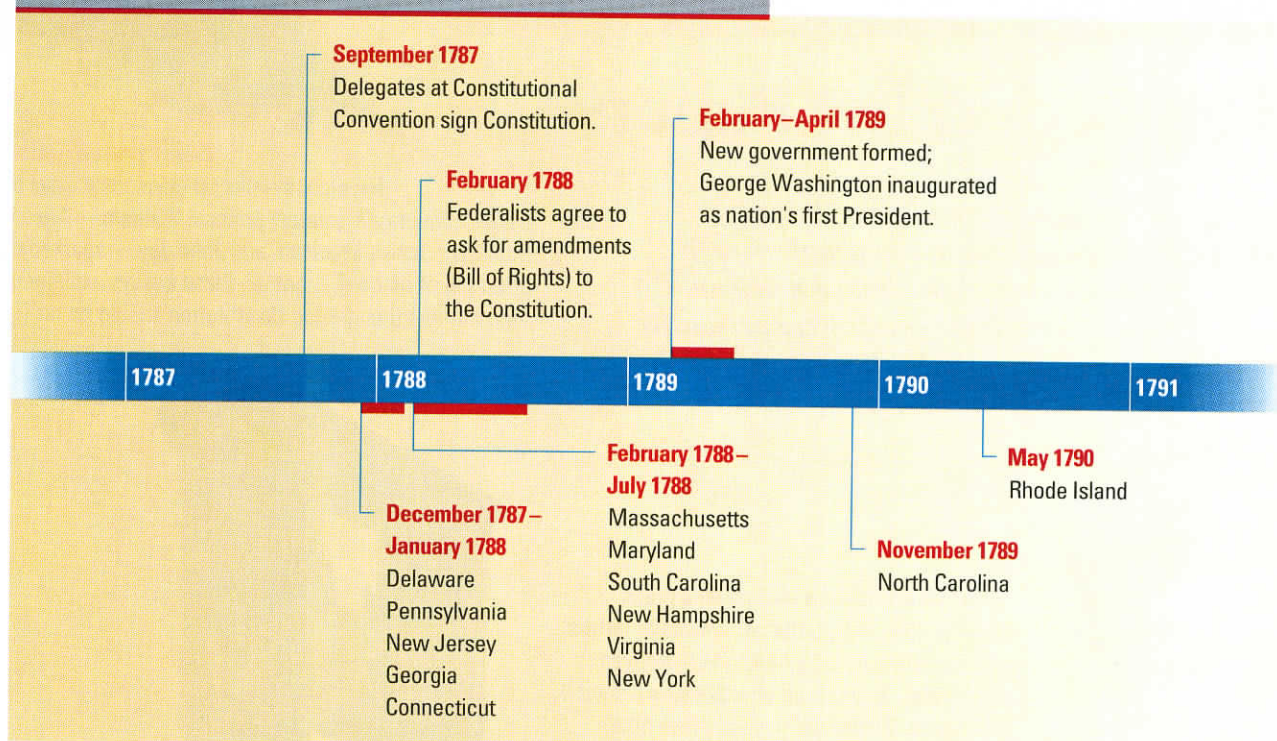
The Federalists acted quickly to bring the Constitution to a vote in states in which they had a clear majority. The first states to debate the Constitution were Delaware and Pennsylvania. Delaware was the first state to **ratify**, or formally approve, with a unanimous vote on December 7, 1787. Pennsylvania followed with its approval in less than a week.

Those who opposed the Constitution were angry. They believed that the first state conventions had been

called too hastily. Antifederalists tried to delay the process.

The next three state conventions—in New Jersey, Georgia, and Connecticut—ratified the Constitution with little opposition. Massachusetts proved to be the first serious problem. Antifederalists probably had a majority in the state, but they lacked leadership. Massachusetts, after debating from early January to early February 1788, became the sixth state to ratify the Constitution by a vote of 187-168.





▲ *North Carolina and Rhode Island finally ratified the Constitution after George Washington was sworn into office in April 1789 as the first President.*

After overcoming strong opposition, New Hampshire — on June 21, 1788 — became the ninth and decisive state to ratify the Constitution.

Meanwhile, a grand debate was taking place in Richmond, Virginia, between James Madison, often called the Father of the Constitution, and Patrick Henry, its most articulate opponent. The vote for ratification was close: 89-79.

If the Antifederalists had moved more quickly in Virginia and New York, where they had strong leaders and much support, the Constitution might never have been ratified. In fact, the Antifederalists' decision to delay worked against them. Another factor was that less than 10 percent of

the newspapers supported them.

The Federalists had needed the approval of only nine states—not all thirteen. The fact that ratification did not require a unanimous vote, which had been a problem with the Articles of Confederation, kept the Constitution alive.

Even though the Antifederalists were defeated, they had won some support for the idea that the Constitution was not complete without a bill of rights. Still to be added to the Constitution was an official promise that the national government would not infringe on dearly valued liberties. Whether the Antifederalists would get such an addition to the Constitution was still uncertain. ■

■ *What were the strategies of the Federalists and the Antifederalists for winning votes in the states?*

## REVIEW

- FOCUS** How did the ratification of the Constitution depend on the debates in each of the states?
- CONNECT** How did Patrick Henry and other Antifederalists appeal to Americans' long-standing fear of the British monarchy?
- POLITICAL SYSTEMS** Examine the Federalist and Antifederalist positions. Which position gave greater value to the sovereignty of the nation and which gave greater value to the independence of the states?
- CRITICAL THINKING** Explain how printing political arguments in the newspapers of 1787–1788 was essential to carrying out the ratification debates.
- CRITICAL THINKING** Why do you think the Constitution was, in the end, ratified?
- ACTIVITY** Take a Federalist or an Antifederalist position, and draw and caption your own cartoon to illustrate your viewpoint. What sort of publication do you think would print your cartoon?